NOTIFICATION 169

ORDER No. RL. 404—LEGIS. 18-46-2, DATED (CAMP) MYSORE, 4TH OCTOBER 1946.

Ordered that the accompanying Explosive Substances (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 1st day of October 1946, be published as Act No. XLI of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XLI OF 1946.

The Explosive Substances (Emergency) Act, 1946.

(Received the assent of His Highness the Maharaja on the 1st day of October 1946).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to provide for certain matters relating to explosive substances;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title, extent and application.

1. (1) This Act may be called the Explosive Substances (Emergency) Act, 1946.

(2) It extends to the whole of Mysore and applies also to all subjects of His Highness the Maharaja wherever they may be.

Definition of "explosive substance."

2. In this Act the expression "explosive substance" shall be deemed to include any materials for making any explosive substance; also any apparatus, machine, implement or material used, or intended to be used, or adapted for causing, or aiding in causing, any explosion in or with any explosive substance; also any part of any such apparatus, machine or implement.

1870

3. Any person who unlawfully and maliciously causes by any explosive substance an explosion of a nature likely to endanger life or to cause serious injury to property shall, whether any injury to person or property has been actually caused or not, be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment for a term which may extend to ten years, to which fine may be added. Punishment for causing explosion likely to endanger life or property.

4. Any person who unlawfully and maliciously — Punishment for attempt to cause explosion, or for making or keeping explosive with intent, to endanger life or property.

(*a*) does any act with intent to cause by an explosive substance, or conspires to cause by an explosive substance, an explosion in Mysore of a nature likely to endanger life or to cause serious injury to property; or

(*b*) makes or has in his possession or under his control any explosive substance with intent by means thereof to endanger life, or cause serious injury to property in Mysore, or to enable any other person by means thereof to endanger life or cause serious injury to property in Mysore:

shall, whether any explosion does or does not take place and whether any injury to person or property has been actually caused or not, be punished with transportation for a term which may extend to twenty years, to which fine may be added, or with imprisonment for a term which may extend to seven years, to which fine may be added.

5. Any person who makes or knowingly has in his possession or under his control any explosive substance, under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or under his control for a lawful object, shall, unless he can show that he made it or had it in his possession or under his control for a lawful object, be punishable with transportation for a term which may extend to fourteen years, to which fine may be added, or with imprisonment for a term which may extend to five years, to which fine may be added. Punishment for making or possessing explosives under suspicious circumstances.

6. Any person who by the supply of or solicitation for money, the providing of premises, the supply of materials, or in any manner whatsoever, procures, counsels, aids, abets, or is accessory to, the commission of any offence under this Act shall be punished with the punishment provided for the offence. Punishment of abettors.

7. No court shall proceed to the trial of any person for an offence against this Act except with the consent of the Government. Restriction on trial of offences.

A. RAMASWAMI MUDALIAR,
Dewan.

NOTIFICATION (7-\

ORDER NO. RL. 405—LEGIS. 18-46-3, DATED (CAMP) MYSORE, 4TH OCTOBER 1946.

Ordered that the accompanying Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Amendment) (Emergency) Act, 1946, which received the assent of His Highness the Maharaja, on the 1st day of October 1946, be published as Act No. XLII of 1946, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government, Law Department.

ACT No. XLII OF 1946.

The Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Amendment) (Emergency) Act, 1946.

(Received the assent of His Highness the Maharaja on the 1st day of October 1946).

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to amend the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946 (XXXVII of 1946) ;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940) ;

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Amendment) (Emergency) Act, 1946.

Amendment of Section 7, Act XXXVII of 1946.

2. Section 7 of the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, shall read and shall be deemed always to have read as if,—

(i) in sub-section (1),

(*a*) for the word "land" where it occurs for the first time the words "immoveable property",

(*b*) for the words "requisitioned land" in the two places where they occur, the words "such property" and

(ii) in sub-section (2) for the word "land" the word "property"

had been substituted.

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Asst. Superintendent at the Government Branch Press, Mysore

8/11

NOTIFICATION. 172

No. M. 3323—P. H. 141-43-12, dated Bangalore, the 28th September 1946.

Under Section 20 of the Mysore Prevention of Adulteration Act IX of 1921, as amended from time to time, the Government of His Highness the Maharaja are pleased to make the rules issued with Government Notification No. G. 2463—Sany. 61-30-3, dated the 22nd September 1931, as amended in Government Notification No. G. 798—P. H. 136-39-3, dated 29th July 1940 (annexed hereto), applicable to Shikarpur Town Municipality.

K. THIPPERUDRIAH, *Edn. Secy.*

Rules under the Mysore Prevention of Adulteration Act.

1. In these rules, "Act" means the Mysore Prevention of Adulteration Act IX of 1921.

"Section" means section of the above Act.

Section 3.—

2. The officer to whom the local executive officer may delegate his powers shall be of the rank of a Health Officer or shall hold the Diploma of Public Health. No legal proceedings under the Act shall be instituted without the permission in writing of the President or the Commissioner, as the case may be.

Section 20 (*b*).—

3. The area within which the local executive officer of a Municipal Council shall exercise powers shall be the Municipal limits of the place.

Section 20 (*c*).—

4. *Cleanliness of Vessels.*—All vessels, receptacles or utensils used for manufacturing or preparing food or containing any food intended for sale shall be cleansed with clean boiling water before and after use and shall be kept in a constant state of cleanliness. In case of food likely to be acted upon by the metal of the vessels, receptacles or utensils in which the food is manufactured, prepared or contained for purposes of sale, precautions shall be taken to prevent such metallic contamination.

Section 20 (*d*).— 173

5. *How notice of Admixture, Addition or Deficiency shall be given.*—If the vendor of any article intended for food, knows that it is admixed with any foreign substance whatsoever or that any component part has been abstracted therefrom, he shall give due notice of such admixture or abstraction by means of distinct and clear labels in Kannada or in any other language likely to be read and understood by the people, affixed conspicuously on each package or receptacle containing the article. Unless the vendor of any food containing an admixture, addition or deficiency, knows of his own knowledge, that the purchaser is able to read and understand the label, he shall give the purchaser the information contained in the label by word of mouth at the time of purchase.

Section 20 (*e*).—

6. The standards of purity prescribed for milk, cream, butter and ghee are as follows :—

Milk.—

Cow's Milk.—(1) Where a sample of cow's milk (not being sold as skimmed or separated milk), contains less than 3 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine, by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(2) When a sample of cow's milk or any skimmed or separated cow's milk contains less than 8·5 per cent of milk solids other than milk-fat, it shall be presumed for the purposes of this Act until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(3) When a sample of cow's milk, whether sold as cow's milk or as skimmed or separated cow's milk, contains less than 0·5 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

Buffalo's Milk.—(4) Where a sample of buffalo's milk (not being sold as skimmed or separated milk), contains less than 4·5 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

179

(5) Where a sample of buffalo's milk, whether sold as buffalo's milk, or as skimmed or separated buffalo's milk, contains less than 9 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

(6) Where a sample of buffalo's milk, whether sold as buffalo's milk or as skimmed or separated buffalo's milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water.

N.B.—The minimum limits for nitrogen prescribed above under (3) and (6) are intended to be used in those cases in which a sample of milk, when it is analysed, is so far decomposed that an estimation of the proportion of milk solids, other than milk-fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

Unspecified Milk.—(7) Where a sample of milk, separated milk or skimmed milk, is sold or offered for sale or hawked about, without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits given for the cow's milk in the above, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum Limit for Dirt in Milk.—( ) Where a sample of milk separated or skimmed milk deposits on standing for a period of 24 hours or less, an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of its containing an excessive amount of dirt.

Cream.—(9) Where a sample of cream contain less than 20 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine.

Butter.—(10) Where the proportion of water in a sample of butter exceeds 20 per oent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

175

Ghee.—(11) Where the proportion of water in a sample of ghee exceeds one per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

Section 20 (*f*).—

7. (1) No person shall add water or any dried or condensed mik or any fluid reconstituted therefrom or any skimmed milk or separated milk to milk intended for sale, and no person shall, by himself or by any servant or agent, sell or offer for sale or hawk about, any milk to which any such addition has been made.

(2) No person shall abstract any ingredient from milk, without giving due notice of the same, in an unambiguous manner, of the fact of such abstraction therefrom, as prescribed in rules under Section 20 (*d*).

(3) No person either by himself or any servant or agent, shall sell or offer for sale or hawk about, as milk, any liquid in the making of which dried milk or condensed milk has been used or to which water or other diluent or adulterant has been added or from which any ingredient has been abstracted, without due notice of the same to the purchaser as prescribed in rule under section 20 (*d*).

Section 20 (*g*).—

8. Any receptacle containing dried, condensed, skimmed or separated milk shall be labelled with an adhesive label which shall contain the information and be of the size indicated below. The information shall be in black type printed or written in the centre of the label, which shall be of white colour. Nothing else shall be printed or written on the label except the name of the article. The label shall be clearly visible to the purchaser and shall measure at least 2″ × 4″ where only Kannada is used or at least 4″ × 4″ where more than one language is employed.

Section 20 (*h*).—

9. (1) Any person taking a sample of milk for the purposes of this Act may add a preservative for the purpose of retaining the sample in a condition convenient for analytical purposes.

(2) The preservative used shall be the liquid commonly known as "formalin" which is a liquid

176

containing about 40 per cent of formaldehyde in aqueous solution.

(3) The amount of preservative added shall be approximately in proportion of one drop of formalin for every two ounces of the sample of milk.

(4) Each sample of milk to which formalin has been added by the person taking the sample shall bear a notification on the label to the effect that it has been "artificially preserved."

(5) For the purposes of this rule, milk includes skimmed and separated milk.

10. *Penalty for Breach of Rules.*—Every manufacturer or dealer or vendor who—(*a*) disobeys, fails to comply with or acts in contravention of the provisions made under Rule 4 herein, in respect of cleanliness of vessels, receptacles or utensils used for manufacturing, preparing or containing any food intended for sale, or (*b*) neglects to affix labels to notify in the manner prescribed, the fact of the admixture of foreign ingredients in the case of adulterated articles of food or abstraction of any component part therefrom of any article of food, or (*c*) fails to give the purchaser in cases mentioned in Rule 5, information contained in such labels by word of mouth at the time of purchase, or (*d*) manufactures, deals in or sells milk, cream, butter or ghee below the standard prescribed in Rule 6 above shall, on conviction before a Magistrate, be punished with a fine not exceeding Rs. 50 and with a fine which may extend to Rs. 50 for every subsequent offence.

Amended Rules.

6. The standards of purity prescribed for milk cream, curds, butter and ghee, and tea and coffee are as follows:—

Milk.—

Cow's Milk.—

(1) Where a sample of cow's milk (not being sold or offered for sale as skimmed or separated milk), contains less than 3 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat or the addition thereto of water.

(2) Where a sample of cow's milk, whether sold or offered for sale as cow's milk or as skimmed or separated cow's milk, contains less than 8·5 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(3) Where a sample of cow's milk, whether sold or offered for sale as cow's milk or as skimmed or separated cow's milk contains less than 0·5 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(4) Where a sample of cow's milk, whether sold or offered for sale as cow's milk or as skimmed or separated cow's milk, contains less than 0·5 or more than 0·75 per cent of ash, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine by reason of the addition thereto of water, or the addition of extraneous solids, as the case may be.

Buffalo's Milk.—

(5) Where a sample of buffalo's milk (not being sold or offered for sale as skimmed or separated milk) contains less than 4·0 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the abstraction therefrom of milk-fat, or the addition thereto of water.

(6) Where a sample of buffalo's milk, whether sold or offered for sale as buffalo's milk, or as skimmed or separated buffalo's milk contains less than 9 per cent of milk-solids other than milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

(7) Where a sample of buffalo's milk, whether sold or offered for sale as buffalo's milk, or as skimmed or separated buffalo's milk, contains less than 0·53 per cent of nitrogen, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water.

N.B.—The minimum limits for nitrogen prescribed above under (3) and (7) are intended to be used in those cases in which a sample of milk when it is analysed is so far decomposed that an estimation of the proportion of milk-solids other than milk-fat in the sample before decomposition will be unreliable, the proportion of nitrogen not being appreciably affected by decomposition.

1978

(8) Where a sample of buffalo's milk, whether sold or offered for sale as buffalo's milk, or as skimmed or separated buffalo's milk, contains less than 0·60 or more than 1·00 per cent of ash, it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of the addition thereto of water, or the addition of extraneous solids, as the case may be.

Unspecified Milk.—

(9) Where a sample of milk, separated milk or skimmed milk, is sold or offered for sale or hawked about without any indication as to whether it is derived from the cow or the buffalo and by comparison with the minimum limits prescribed above under (1), (2) and (3) for cow's milk, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine for the reason given in the above rule or rules which are applicable.

Maximum Limit for Dirt in Milk.—

(10) Where a sample of milk, separated milk, or skimmed milk deposits on standing for period of 24 hours or less, an amount of visible sediment exceeding five parts per 100,000 (both milk and sediment being measured by volume), it shall be presumed for the purposes of this Act, until the contrary be proved, that the milk is not genuine by reason of its containing an excessive amount of dirt.

Cream.—

(11) Where a sample of cream contains less than 20 per cent of milk-fat, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine.

Curd.—

Curd is the product obtained by lactic acid fermentation of milk.

Curd from Cow's Milk.—

(12) Where a sample of curd from cow's milk, whether sold or offered for sale as curd from cow's milk, contains less than 8·9 per cent of total solids and more than 2·82 per cent of acidity in terms of lactic acid, it shall be presumed for the purposes of this Act, until the contrary be proved, that the curd is not genuine by reason of the addition thereto of water.

Curd from Skimmed (Cow's) Milk.—

(13) Where a sample of curd from skimmed (cow's) milk, whether sold or offered for sale as curd from skimmed (cow's) milk, contains less than 6·1 per cent of total solids and more than 3·28 per cent of acidity in terms of lactic acid, it shall be presumed for the purposes of this Act, until the contrary be proved, that the curd is not genuine by reason of the addition thereto of water.

Curd from Buffalo's Milk.—

(14) Where a sample of curd from buffalo's milk, whether sold or offered for sale as curd from buffalo's milk, contains less than 9·8 per cent of the total solids and more than 3·45 per cent of acidity in terms of lactic acid, it shall be presumed for the purposes of this Act, until the contrary be proved, that the curd is not genuine by reason of the addition thereto of water.

Curd from Skimmed (Buffalo's) Milk.—

(15) Where a sample of curd from skimmed (buffalo's) milk, whether sold or offered for sale as curd from skimmed (buffalo's) milk, contains less than 7·3 per cent of total solids and more than 3·55 per cent of acidity in terms of lactic acid, it shall be presumed for the purposes of this Act, until the contrary be proved, that the curd is not genuine by reason of the addition thereto of water.

Curd from Skimmed (Unspecified) Milk.—

(16) Where a sample of curd from skimmed milk is sold or offered for sale or hawked about, without any indication as to whether it is made of cow's or buffalo's milk and by comparison with the limits prescribed above under (13) for curd from skimmed (cow's) milk, it appears to be adulterated, it shall be presumed for the purposes of this Act, until the contrary be proved, that the sample is not genuine.

Butter.—

(17) (*a*) Where the proportion of water in a sample of butter made from cow's or buffalo's milk or cream exceeds 20 per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the butter is not genuine by reason of the excessive amount of water therein.

Note.—Rules 18 and 19 which are intended to be used in the case of ghee samples shall also apply in the case of butter which may be clarified into ghee for this purpose.

188

(*b*) No preservatives except salt shall be used.

Ghee.—

(18) Where the proportion of water in a sample of ghee made from cow's or buffalo's butter exceeds 1 per cent, it shall be presumed for the purposes of this Act, until the contrary be proved, that the ghee is not genuine by reason of the excessive amount of water therein.

(19) Where a sample of ghee, whether sold or offered for sale as cow's ghee or buffalo's ghee or mixed ghee, does not satisfy the following values, it shall be presumed for the purposes of this Act, uutil the contrary be proved, that the sample is not genuine.

	Refractive Index at 40°C	Reichert Meissl value	Polenske value	Free Fatty Acids as oleic, per cent	Saponification value	Iodine value
		Not less than	Not less than	Not more than	Not less than	Not more than
Cow's Ghee ...	41·0—44·0	21·0	1·5	0·20	225	41·0
Buffalo's Ghee ...	41·0—44·0	27·0	1·5	0·30	225	41·0
Mixed Ghee ...	41·0—4·0	25·0	1·5	0·28	225	41·0

(19) (*a*) No person shall add to ghee or butter intended for sale any substance—

(i) prepared in imitation of or as a substitute for ghee or butter; or

(ii) consisting or containing any oil or fat which does not conform to the definition of ghee in the Act;

(*b*) No person shall either by himself or by any servant or agent sell or offer or expose for sale any ghee or butter to which any such addition has been made.

Tea.—

(20) (*a*) Tea shall be derived exclusively from the leaves and buds of plants of the *Camellia* genus and *Thea* species.

(*b*) Tea shall contain—

(i) a proportion of extractive matter in boiling water which is not less than 40 per cent;

(ii) a proportion of total ash of not less than 4 per cent and not more than 8 per cent;

(iii) a proportion of ash insoluble in boiling water which is not more than 3·0 per cent; and

181

(iv) the total alkalinity of the ash as K_2O should not be less than 1·7 or more than 2·0.

N.B.—For the purpose of this rule, the ash of tea shall be determined on dry tea, that is, tea dried to constant weight at 100°C.

(*c*) Where a sample of tea does not comply with all the standards specified in sub-rules (*a*) and (*b*), it shall be presumed for the purposes of this Act, until the contrary be proved, that the tea is not genuine.

Coffee.—

(21) (*a*) "Coffee" means the seed of cultivated varieties of *Coffea arabica*, *Coffea liberica* and *Coffea robusta*.

"Green, raw or unroasted Coffee" is coffee freed from all but a small portion of its spermoderm, and conforms in variety and in place of production to the name it bears.

"Roasted Coffee" means properly cleaned green coffee which by the action of heat (roasting) has become brown and has developed its characteristic aroma and shall not contain any admixture of other substances than coffee, save as under (*d*).

(*b*) Coffee shall contain—

(i) a proportion of extractive matter in boiling water which is not less than 30 per cent;

(ii) a proportion of total ash of not less than 4 per cent and not more than 5 per cent;

(iii) a proportion of ash insoluble in boiling water which is not more than 1·4 per cent; and

(iv) the total alkalinity of the ash as K_2O should not be less than 1·8 or more than 2·2.

N.B.—For the purpose of this rule, the ash of coffee powder shall be determined on dry coffee powder, that is, coffee powder dried to constant weight at 100°C.

(*c*) Where a sample of coffee does not comply with all the standards specified in sub-rules (*a*) and (*b*), it shall be presumed for the purposes of this Act, until the contrary be proved, that the coffee is not genuine.

(*d*) The only permissible adulterant to coffee is chicory, which may be added to the coffee in a proportion not exceeding 50 per cent. The fact of such an addition and the exact proportion of the adulterant shall be clearly

(82

indicated on the label of the container or packet containing the mixture, in a conspicuous place and in distinct legible letters.

When ground coffee is sold or exposed for sale in loose form, *i.e.*, other than in specifically prepared packets or containers, the receptacles containing the coffee, or on which it is exposed or kept for sale, shall be labelled with labels indicating the nature and extent of the adulterant present (if any) in letters less than one-half of an inch in size. Absence of such a label will be taken to imply that the coffee so kept or exposed for sale is meant to be sold as pure coffee.

Printed by the Superintendent at the Government Press, Bangalore.

PALACE OFFICE RECORDS

183

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THE DRUG CONTROL ORDER, 1946.

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